

REMARKS

Claims 1-24 are currently pending in the present application.

Rejection under 35 U.S.C. § 103

Claims 1-2, 4, 9-10, 12, 17-18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hind et al.* (US 6,463,440) in view of *Risvik* (US 6,377,945). Applicants respectfully traverse such rejection.

Hind, on its face, is assigned to International Business Machines Corporation—the common assignee of the present application. The issue date of *Hind* is October 8, 2002, which is after the filing date of the present application (*i.e.*, July 3, 2001). Thus, according to MPEP § 706.02(1)(1), *Hind* can only be qualified as a reference under 35 U.S.C. § 102(e) but is not available to form the basis for an obviousness rejection under § 103. In addition, because *Risvik* does not teach or suggest the novel features of the claimed invention, the § 103 rejection is believed to be overcome.

CONCLUSION

Claims 1-24 are currently pending in the present application. For the reasons stated above, Applicants believe that independent Claims 1, 9 and 17 along with their respective dependent claims are in condition for allowance. The remaining prior art cited by the Examiner but not relied upon has been reviewed and is not believed to show or suggest the claimed invention.

No fee or extension of time is believed to be necessary; however, in the event that any fee or extension of time is required for the prosecution of this application, please charge it against IBM Corporation Deposit Account No. 50-0563.

Respectfully submitted,



Antony P. Ng
Registration No. 43,427
BRACEWELL & PATTERSON, LLP
P.O. Box 969
Austin, Texas 78767-0969
(512) 472-7800

ATTORNEY FOR APPLICANTS